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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,732	08/17/2001	Hubert Haller	2368.119	3602

7590

03/28/2003

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EXAMINER

KYLE, MICHAEL J

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 03/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/830,732

Applicant(s)

HALLER, HUBERT

Examiner

Michael J Kyle

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-12 and 15-18 is/are rejected.
- 7) ☒ Claim(s) 13 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 10, 11, and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over West (U.S. Patent No. 4,452,390) in view of GB 2039599 (GB '599). West discloses a portable security container comprising a stationary housing (11) adapted to be secured in closets, on wall or in vehicles, in boats, in air planes and in bank safes, a case (14) adapted for being received in the housing (11) wherein the case can be inserted and barricaded or locked, and that the case is provided with its own independent security locking system (25, 28). West also discloses that the independent locking system is a lock with a key (25) and that the housing (11) includes a concealment covering (12). West does not disclose the housing to include locking boreholes for locking and for receiving locking bolts associated with the case.

3. However, GB '599 teaches a housing (11) that includes locking boreholes (23) for locking and for receiving locking bolts (17) associated with the case (12) in order to securely lock the case in the closed position (Page 1 of specification, lines 26-30) in a housing.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the locking boreholes (23) of the housing of GB '599 and the locking bolts (17) of the case (12) of GB '599 in the housing (11) and case (14) of West to more securely lock

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the case in the housing by supporting the case in the housing with two locking projections, one from each side of the case.

4. With respect to claims 16 and 17, Brush, Jr. et al. (U.S. Patent No. 4,688,493) is cited as an evidence reference. Brush, Jr. et al. shows that a fire resistant safe that has steel outer body.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over West in view of GB '599 as applied to claim 10 above, and further in view of Johnson et al. (U.S. Patent No. 2,819,692). Neither West nor GB '599 discloses that the locking boreholes are provided with reinforcements. However, Johnson et al. discloses locking boreholes that are provided with reinforcements (45, 46) for the purpose of guiding the locking bars (43, 44, Col. 3, lines 14-16). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the reinforcements (45, 46) of Johnson et al. in the housing (11) of West to reinforce the locking boreholes.

6. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over West in view GB '599 as applied to claim 15 above, and further in view of Cantley (U.S. Patent No. 3,970,010). Neither West nor GB '599 discloses a stationary housing to comprise multiple housings connectable with each other.

7. Cantley teaches a stationary housing (walls surrounding compartment 19) to comprise multiple housings (walls surrounding each compartment 19) connectable with each other, in order to securely store multiple cases in a single unit. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify West and GB '599 as taught by Cantley in order to securely store multiple cases in a single unit.

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Allowable Subject Matter

8. Claims 13 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments with respect to claims 10-12, and 15-17, filed Jan 21, 2003, have been fully considered but they are not persuasive.

10. With respect to the Applicant's argument regarding claim 10, the examiner notes the West discloses a case safe system with a key operated independent locking system for locking the case closed. West also discloses an additional locking system (16, 17) to lock the case in the housing. West does not disclose the system to lock the case in the housing to include locking boreholes or for the case to include locking bolts to be received in the locking boreholes.

However, GB '599 teaches a case that may be locked in a housing, the housing having locking boreholes for receiving locking bolts of the case. The examiner asserts would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the additional locking system for locking the case to the housing in the invention of West as taught by GB '599 so that the case may be locked in the housing and be supported by a locking projection on both sides of the case so that the case is more securely locked in the housing. By modifying West as taught by GB '599 all the limitations of claims 10, 11, and 15-17 are met. Furthermore, by combining the West and GB '599 with the teachings of Johnson, the limitations set for the in claim 12.

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11. With respect to the Applicant's argument regarding claim 15 that neither West nor GB '599 nor Brush Jr. discloses a concealment covering, the examiner notes that West does disclose a concealment covering (12).

12. Applicant's arguments with respect to claim 18 have been considered but are moot in view of the new ground(s) of rejection. Claim 18 is now rejected under 35 U.S.C. 103(a) as being unpatentable over West in view GB '599 as applied to claim 15 above, and further in view of Cantley (U.S. Patent No. 3,970,010).

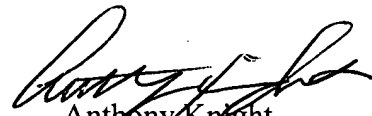
Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J Kyle whose telephone number is 703-305-3614. The examiner can normally be reached on Monday - Friday, 8:30 am - 5:00 pm.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

15. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2168.

Mk
March 25, 2003


Anthony Knight
Supervisory Patent Examiner
Tech Center 3600